

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

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In re:

ARROW ALUMINUM INDUSTRIES, INC.,

Case No. 13-21470-JDL

Chapter 11

Debtor.

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**MOTION TO TRANSFER REAL PROPERTY TO INDIVIDUAL OWNERS;  
EXPEDITED SETTING REQUESTED**

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Comes now, Arrow Aluminum Industries, Inc., by and through counsel, as debtor and debtor-in-possession in the above-captioned Chapter 11 case ("Debtor" or "Arrow"), and files this Motion to Transfer Real Property to Individual Owners; Expedited Setting Requested pursuant to Section 105 of Title 11 of the United States Code (the "Bankruptcy Code") and in support thereof Debtor would show unto the Court as follows:

**BACKGROUND**

1. On February 11, 2013, Debtor filed with this Court its voluntary petition for relief under Chapter 11 of Title 11 of the United States Code (the "Bankruptcy Code"). Pursuant to Sections 1107(a) and 1108 of the Bankruptcy Code, the Debtor is continuing to operate its business and manage its assets as Debtor-in-Possession.

2. Arrow is engaged in the business of manufacturing quality vinyl and aluminum windows and doors.

**JURISDICTION**

3. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157, 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue of this proceeding is

proper in this district pursuant to 28 U.S.C. §§ 1408-1409. The statutory predicates for the relief sought herein are sections 105(a), and 327 of the Bankruptcy Code.

**RELIEF REQUESTED**

4. By this Application, the Debtor seeks to retain, employ and compensate Harris Shelton as its counsel under a general retainer and as provided further herein.

**BASIS FOR RELIEF REQUESTED**

5. The Debtor is a family owned and managed business. The Debtor is owned by Bill N. Blackwell and his wife, Ricka Blackwell, has worked in the business for many years. It is managed day to day by William Ted Blackwell, Bill and Ricka Blackwell's son. Elaine Blackwell, Ted Blackwell's wife, also works at Arrow.

6. Bill and Ricka Blackwell own their residence and certain farmland in Weakley County, Tennessee ("House and Farm"). First Citizens National Bank has the first priority lien on the House and Farm in excess of their value.

7. Ted and Elaine Blackwell own their residence in Weakley County, Tennessee ("House"). First Citizens National Bank has the second priority lien on the House in excess of its value.

8. Prior to the Commencement Date, Bill Blackwell and Ted Blackwell had filed Chapter 13 cases. Both were dismissed with prejudice for a period of 180 days.

9. Prior to the Commencement Date, Mr. and Mrs. Bill Blackwell transferred their House and Farm to Arrow.

10. Prior to the Commencement Date, Mr. and Mrs. Ted Blackwell transferred their House to Arrow.

11. Both transfers were done upon advice of counsel.

12. There was no consideration for the transfers.

13. Arrow's Plan of Reorganization contemplates transfer of the House and Farm and the House to the respective owners believes the transfers are avoidable and should be set aside. The individuals will then obtain reverse mortgages on the properties and pay the proceeds to First Citizens National Bank.

14. Ricka Blackwell and Elaine Blackwell are in their own separate Chapter 11 cases, Case No. 13-21495-JDL and Case No. 13-21493, respectively. They contemplate dismissing their cases in order to obtain the reverse mortgages.

15. Upon information and belief, the only remaining impediment to obtaining the reverse mortgages are the transfer of the House and Farm and the House to their respective owners and the dismissal of the individual Chapter 11 cases.

16. An expedited hearing is warranted under the circumstances since the hearing on the approval of the Disclosure Statement is set for July 17, 2013 and this Motion should be set on the same day.

WHEREFORE, the Debtor respectfully requests that this Court enter an order (i) authorizing and approving the transfer of the House and Farm and the House to Mr. and Mrs. Bill Blackwell and the House to Mr. and Mrs. Ted Blackwell immediately without a 14 day waiting period; (ii) directing that all liens, claims and encumbrances attach in the same order and priority as before the transfers, and (iii) granting such other and further relief as may be just and proper.

Respectfully submitted,

Harris Shelton Hanover Walsh, PLLC

By:/s/ Steven N. Douglass

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**CERTIFICATE OF SERVICE**

I certify that on July 31, 2013 the foregoing document was served through the CM/ECF system upon the U.S. Trustee and all parties requesting notice in this case.

/s/ Steven N. Douglass

Steven N. Douglass